Service (CSS) Rules, 1962, was carried out *vide* notification dated 8.3.1999. This amendment, which was effective from the date of publication, was made broadly on the following grounds:

(i) The Supreme Court in the case of S. Vinod Kumar Vs. UOI held that the provision for lower qualifying marks/lesser level of evaluation in the matter of promotion in favour of candidates belonging to Scheduled Castes and Scheduled Tribes was not permissible under Article 16(4) of the Constitution. In pursuance of this judgement, this Department issued O.M. dated 22.7.97, rescinding the earlier instruction, clarifying that there shall be no separate standard of evaluation for SC/ST officers for promotion and assessment of all the candidates for this purpose would be with reference to uniform standards;

(ii) Lower qualifying service as distinct from lower qualifying marks/ lesser standards of evaluation in the matter of promotion has not been provided under the general policy on reservation;

(iii) It was considered necessary in as much as seniority could not be substituted for eligibility and therefore a person should gain the uniform minimum experience in the feeder grade to be eligible for promotion to shoulder higher responsibility.

The Select Lists of Under Secretaries for the years 1987 to 1994 were issued between May, 2000 and August, 2002 in consonance with the aforesaid amendment dated 08.03.1999 as the same was in operation at the time of issue of these Select Lists.

Abolition of Karnataka administrative tribunal

3068. SHRI K.B. KRISHNA MURTHY: Will the PRIME MINISTER be pleased to state:

(a) whether Government of Karnataka has sent any proposal to abolish the Karnataka Administrative Tribunal;

(b) if so, the reasons therefor; and

(c) the action, if any, taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) Yes, Sir.

(b) The State Government is of the view that in the light of judgement of Supreme Court in the case of L. Chandra Kumar Vs. Union of India the decisions of the State Administrative Tribunal may be questioned in the High Court by way of Writ Petitions before a Division Bench and, therefore, the Karnataka Administrative Tribunal has become redundant.

(c) In order to consider the request of the State Government, the action to amend the Administrative Tribunals Act, 1985 to provide for an enabling provision for abolition of the Administrative Tribunals and for dealing with consequential contingencies like transfer of pending cases to some other forum and service interests of Chairman, Vice-Chairmen, Members and other Staff of the Tribunal has been under consideration of the Central Government.

Amendment to Constitution to check abuse of State Public Service Commissions

†3069. SHRI RAMACHANDRA KHUNTIA: Will the PRIME MINISTER be pleased to state:

(a) whether Government are considering to amend the Constitution in order to check the abuse of office by Chairman and other members of Public Service Commissions;

(b) if so, by when such bill is likely to be introduced in the Parliament; and

(c) if not, the reasons therefor while many incidents of abuse of office have took place recently in Punjab, Bihar and Maharashtra?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) No, Sir.

(b) and (c) Union Public Service Commission in their Memorandum submitted before the National Commission to Review the working of the Constitution, had *inter-alia*, suggested that the relevant provisions in the Constitution may be amended to ensure that only persons with spotless reputation are appointed as Chairmen and Members of the Commissions. The National Commission to Review the working of the Constitution,

†Original notice of the question was received in Hindi.